

## Election Administration Questions/Answers - 2012 Clerk and Recorder Convention

### Late Registration, Provisional Voting and Regular Registration

- 1) An absentee ballot comes into your office with a missing signature or a non-matching signature. Is this rejected in MT VOTES? How are you supposed to contact the voter? What do you send them? Does the absentee ballot become provisional if not resolved by election night? Are they issued a provisional ballot out of the MT VOTES module?
- 2) A transfer late registrant comes into your office on election day. Are **transfer** late registrants made provisionally registered on election day, or are they just issued a provisional ballot, or both? (What about before election day?) How do you issue a provisional ballot to transfer late registrants? Are **new** election-day late registrants issued a provisional ballot?
- 3) A late registrant's DLN or last four of SSN does not verify. How do you handle them? Are they registered as a provisional registrant or as a late registrant? Why? Should you change their status to late registrant if they provide a verifiable number by the provisional deadline, or leave them as provisionally registered?
- 4) You are instructing your election judges on when to issue a provisional ballot. What are some reasons you would tell them of why people might vote a provisional ballot? What role do the polling place elector ID form and the provisional ballot outer envelope play in the provisional process? What are the deadlines for electors to provide information to have their provisional ballot counted? Do you have to notify people who vote a provisional ballot of whether their ballot counted?
- 5) You notice that if you do not change the default Vote Eligible date in MT Votes for a late registrant, this creates problems. Why is it important to change the default vote eligible date for late registrants? What should you change it to? Are there circumstances in which you would not change the vote eligible date for a late registrant?
- 6) Registrants are supposed to provide their DLN if they have been issued one, and are only supposed to provide the last four digits of their SSN if they have not been issued a DLN. What should you do if an elector provides the last four digits of their SSN but you discover that the person has a MT Driver's License?
- 7) A person who does not have a resident address because they are homeless filled out a VR application. How do you handle the application? How would you enter in MT Votes a homeless person who does not have a residence address?

## Late Registration, Provisional Voting and Regular Registration Model Answers:

- 1) Absentee ballots with a missing or non-matching signature should be rejected in Montana VOTES and set aside for possible resolution. Contact the elector by the most expedient means possible and send them the Absentee Signature Verification form. If the issue is not resolved by election night, the ballot is classified as provisional and electors have until 5 p.m. the day after election day to resolve it (or send information postmarked by that day and received by 3 p.m. the Monday following election day). Counties are directed to not issue a provisional ballot out of the MT VOTES module, but must still track these as provisional ballots.
- 2) Transfer late registrants are **not provisionally registered** on election day (unless their ID number does not verify) – they are just issued a provisional ballot, out of the MT VOTES module. (Before election day they are not issued a provisional ballot.) **New** election day late registrants are issued a regular ballot and are also not provisionally registered.
- 3) Late registrants whose DLN or last four of SSN do not verify are provisionally registered, and they are issued a provisional ballot. This is because if you register them as a late registrant then they will never have to provide a verifiable ID number and will become active after the election is closed. If they do provide a verifiable number by the provisional deadline, then you would change their status to late registrant, and count the ballot with other provisional ballots.
- 4) The reasons may include: 1) The elector is late registering at the Election Office and their Montana driver's license number or last 4 digits of the Social Security number did not verify through MT Votes or Voter Verify after exhausting all of the search options available. 2) The elector is provisionally registered. 4) The elector shows up at the polls to vote, but the register indicates they have an active absentee ballot. 5) The elector shows up at the polls to vote, but does not have one of the required forms of ID, and chooses not to fill out the "Polling Place Elector ID Form", or fills out the Polling Place Elector ID Form, but the numbers on the form cannot be verified. 6) The elector late registers and votes at the election office on election day and is a transfer registrant (precinct-to-precinct or county-to-county). 7) The elector shows up at the polls to vote, and their name does not appear in the official register, but they believe they are registered to vote. In this case, if the Election Office cannot verify that the elector did register by the close of regular registration, the elector has the option to vote provisionally at the polls, but may want to instead go to the Election Office, late register, and vote a regular ballot. 8) The elector's right to vote is challenged on election day. 9) There are Internet connectivity or other technical problems. 10) A no-signature or signature mismatch absentee ballot is not resolved by the close of polls on election day.

The polling place elector ID form should be provided to people who do not bring ID to the polls. The election judge asks the elector to fill out the form and then calls your

office to confirm that the number provided is verifiable. If it is, the elector votes a regular ballot. If not or if the elector needs to vote a provisional ballot for another reason, the judges should put the ballot in a provisional ballot outer envelope and provide the elector with instructions on how to resolve the issue.

An elector must resolve the issue by the end of election night in order to have the ballot counted on election night. If not, the person must resolve the issue by 5 p.m. the next day or postmark required documentation by that date, and it must be received by the Monday after the election.

You have to notify people whether or not their provisional ballot was counted.

- 5) It is important to change the default Vote Eligible Date for late registrants because MT VOTES will not let you issue a ballot to someone whose Vote Eligible Date is after the close of regular registration. You should change the date to the Sunday before the close of regular registration. If the person is a transfer late registrant, MT Votes will issue them a ballot (since their vote eligible date would be before the close of registration) but you still should change the vote eligible date to the Sunday before election day for consistency in tracking.
- 6) If an elector provides the last four digits of SSN but you discover that the elector has a MT DLN, you still should register them if the SSN verifies through Voter Verify. It may be that at the time they registered, they did not have a DLN but have since received one, but even if not you do not need to police this and there is no option in MT law to challenge a person's voter registration on this basis. The purpose of having an applicant list their MT DLN or SSN is to verify that the name and DOB listed match the ID#; you are not trying to verify residency through this process. A person does not need to be a registered driver to be a registered voter.
- 7) A homeless person has the right to register and to vote. If they do not have a street address to provide, they must provide a specific geographic location (including a shelter, park or street corner). According to a court decision, a person does not have to be staying at a shelter in order to list the shelter as their residence, but they must have established a relationship with the shelter

## Voting Systems

1) When it comes to voting machine testing, what is not a recommended best practice? (Circle all that apply)

- a) Maintain a spreadsheet or record of tests done.
- b) During your public test; test only the machines that you will be using in the election.
- c) Mark your test ballots in a way to indicate that they are Test Ballots.
- d) To save time, create your ERM file and upload the file to ESERS on the same computer.
- e) Test every oval in every race to ensure that the machine is reading each vote correctly.
- f) For primary election testing, create a test deck with an equal number of ballots for each party.

2) What are the four types of voting system tests?

3) Which portion of the test includes loading an election onto the device, casting or marking a known test set of ballots and then counting the votes and comparing the results with the vote totals?

- a) Physical Analysis
- b) Diagnostic Analysis
- c) Functional Analysis
- d) Security and Storage

**Voting Systems Model Answers:**

1) B, D, F

2) Acceptance Test, County Pre-Election Test, Public Certification Test and Election Day Test

3) C

### **Electronic Absentee System (UOCAVA covered voters)**

1) You received an Electronic Absentee System ballot by email two weeks before the election. The information on the coversheet describes an individual with a Montana residence in your county, but this individual is not in MT Votes. There are numbers on the signature line instead of an actual signature. You looked in the materials to determine whether an FPCA was included. Can you process this ballot? If so, what steps would you take to process this ballot? If not, what should you do?

2a) You receive an automated email that says Jane Smith generated a ballot using the Montana Electronic Absentee System. Two days later, you have not received anything from a Jane Smith. What should you do?

2b) You learned from the administrative side of the EAS that Jane Smith downloaded a ballot to return by email. What should you do?

## **Electronic Absentee System (UOCAVA covered voters) Model Answers**

- 1) Assuming the voter also returned a completed FPCA, the ballot can be processed if the ID number provided by the individual verifies. If the ID number verifies, the EA should use the FPCA to register the individual and issue an absentee ballot from MT Votes. If the ID number does not verify, the applicant should be provisionally registered, and the ballot should be treated as a provisional ballot and the provisional ballot process should be followed. If the individual did not submit a completed FPCA contact the SOS office to confirm that the ballot should be rejected.
- 2a) Check your junk mail for emails from Jane Smith. If you do not find anything, log into the administrative side of the EAS at [www.vote4mt.us](http://www.vote4mt.us). In the Statistics and Reports tab, look at Voter Download Ballot events to see if Jane Smith planned to return her ballot by email, fax, or mail.
- 2b) Send Jane Smith an email to let her know that you have not received her ballot. In order for her ballot to be counted, it must be transmitted by 8 p.m. on election day, and you must receive it by 5 p.m. the day after election day. Provide Jane with follow up contact information in case she experiences problems when returning her ballot.